

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE SERVICES

Before the Commissioner of the Office of Financial and Insurance Services

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OFFICE OF THE
In the matter of:

Roderick J. Newman
System ID No. 0040922

Enforcement Case No. 07-4977

Respondent

Issued and entered
on 5 September, 2007
Frances K. Wallace
Chief Deputy Commissioner

CONSENT ORDER AND STIPULATION

A. FINDINGS OF FACT AND CONCLUSIONS OF LAW

It is alleged that the following statements are true and correct:

1. At all pertinent times, Roderick J. Newman, System ID No. 0040922 ("Respondent"), was a licensed resident insurance producer authorized to transact the business of insurance in this state.
2. As a licensed resident producer, Respondent knew, or had reason to know, that Section 1239(1)(b) of the Michigan Insurance Code ("Code") provides that the commissioner may place on probation, suspend, and revoke an insurance producer's license for violating any insurance laws or violating any regulation, subpoena, or order of the commissioner or of another state's insurance commissioner.
3. Respondent further knew or had reason to know, that Section 1247(2) of the Code requires, within 30 days after the initial pretrial hearing date, an insurance producer to report to the commissioner any criminal prosecution against the insurance producer taken in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents.
4. On March 19, 2007, the Office of Financial and Insurance Services ("OFIS") was anonymously informed that Respondent was charged with felony possession of marijuana in the 32nd Circuit Court – Gogebic County, in the State of Michigan.

5. On or about June 21, 2005, Respondent was granted 12 month Delay of Sentencing following an earlier plea of guilty to the charge of felony possession of marijuana in the amount is less than 5 kilograms or fewer than 20 plants in violation of MCL 333.7401(2)(d)(iii).
6. On or about June 21, 2006, the court granted Respondent's motion for nolle prosequi and dismissed the case without prejudice after satisfactory completion of the 12 month Delay of Sentencing probation period.
9. By failing to report within 30 days after the initial pretrial hearing date of any criminal prosecution Respondent was in violation of Section 1247(2) of the Insurance Code.
10. By violating the insurance laws of the State of Michigan, Respondent violated Section 1239(1)(b) of the Insurance Code.

B. ORDER

Based on the findings of fact and conclusions of law above and Respondents' stipulation, it is **ORDERED** that:

1. Respondent shall immediately cease and desist from operating in such a manner as to violate Section 1239(1) and 1247(2) of the Insurance Code.
2. Respondent shall pay to the State of Michigan a civil fine of Five Hundred Dollars (\$500.00). Upon execution of this Order, OFIS will send Respondent an Invoice for the civil fine, which shall be due within 30 days of issuance of the Invoice.



Frances K. Wallace
Chief Deputy Commissioner

Dated: 5 September 2007